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Submitted Electronically

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RE: Proposed Regulation No. 44 Control of Distributed Generation Emissions, Draft 3

Solar Turbines Incorporated (Solar) appreciates the opportunity to comment on the proposed regulation No. 44 Control of Distributed Generation Emissions Draft 3.

Solar is a manufacturer of industrial gas turbines [(1-14 MW (1,500 to 20,000 hp))]. Solar's fleet includes over 11,500 combustion turbines in over 90 countries. Our domestic fleet consists of approximately 5800 combustion turbines. For the past 30 years, Solar's industrial gas turbines have been used in a wide range of power generation and oil and gas applications.

Solar Turbines Incorporated (Solar) generally supports the Delaware Department of Natural Resources and Environmental Control's (DNREC's) proposed rule No. 44 as drafted. Solar does, however, have a few concerns and likewise suggestions for the DNREC to consider in order to improve the rules effectiveness.

Section 2.0

Solar has concern with the "repower" definition. Solar is concerned that the agency's definition is too generic and could cause interpretation issues in the future. Solar suggest adding additional verbiage to the definition, as shown in boldface below, for clarity.

*Repower means the replacement of the internal combustion engine of a generator with another internal combustion engine. **Routine maintenance overhauls or engine replacements due to catastrophic engine failure are not intended to trigger the definition of "repower"**.*

Section 3.0

For consistency with other recent distributed generation rulemakings, please add the following text, as shown in bold type.

- 3.0 Emissions. A generator shall not exceed the following standards (in pounds per megawatt-hour (lbs/MWh) of electricity output) **under full load design conditions.**

Section 3.2.2

Liquid Fuel as Emergency/Limited Use Fuel: **The DNREC should consider language that allows for the burning of liquid fuel as back-up or limited use.**

The emission levels proposed in sections 3.2.1.1 and 3.2.2.1 are fuel neutral. Solar assumes that the agency set the fuel neutral emission levels to encourage cleaner fuels be burned with low NO_x combustion technologies. Our concern is that distributed generation users, who usually desire to have fuel oil back-up capability in case of natural gas curtailment, will be unable to meet the standard when burning liquid fuel with state-of-the-art low emissions technology. Having the ability to burn a back-up fuel, in times of natural gas curtailment, is critical to the decision to install many distributed generation projects. **Solar requests that liquid fuel used as a back-up/limited use fuel be exempted from the regulation or an option for an alternative emission limitation be added. Example language for the alternative emission limitation is, “...Generators subject to this Section may apply for an alternative emission limitation on a case-by-case basis upon approval from the department.”**

Sections 3.2.2.2 and 3.2.2.3

The emission values in these sections are very restrictive and are comparable to LAER for natural gas and levels beyond LAER on liquid fuel. **Solar suggests that emission levels be set a higher, achievable level and let NSR permitting dictate BACT or LAER levels.**

Section 3.2.2.4

Solar has concerns with the emission levels shown in Section 3.2.2.4 for fuels other than natural gas. Solar's supports the Engine Manufacturer's assertions and recommended emissions levels for the waste gas category of fuel. Solar recommends a NO_x emissions level of 2.2 lb/MW-hr for waste fuels.

Would the agency consider refinery gases, “waste gas” by definition? If not, please add refinery gas to the list of alternative fuels in Section 3.2.2.4.

General Comment

Solar also suggests additional language to all for case-by-case permitting for applications/technologies unable to meet the proposed standards.